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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,712	11/19/2001	Trung V. Le	10301US01	5875

7590 12/24/2002

Attention: Eric Levinson
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Legal Affairs
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St. Paul, MN 55164-0898

EXAMINER

BUI, HUNG S

ART UNIT	PAPER NUMBER
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2841

DATE MAILED: 12/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/992,712

Applicant(s)

LE ET AL.

Examiner

Hung S Bui

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 15 and 21-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Claims 15 and 21-23 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected embodiment, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 4. Applicant's lack of argument acknowledges that the election was made without traverse.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the circuitry for converting signal received from the contact areas must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 5, in line 2, there is no antecedent basis for " the memory."

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2, 10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Seeley et al. [US 6,132,223].

Regarding claim 1, Seeley et al. disclose an apparatus (10) comprising:

- a housing (72, 74) defining a slot (100, figure 3) to receive one of a number of types of removable memory cards, wherein the slot including a central region of a first height and outer region of a second height (figure 3); and
- a plurality of electrically conductive contact areas (54, 56) disposed within the housing.

Regarding claim 2, Seeley et al. disclose a portion of each of the contact areas being disposed within the central region (figure 2).

Regarding claims 10 and 12, Seeley et al. disclose an interface (20) for connecting the card reader with a computer.

Claim Rejections - 35 USC § 103

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7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seeley et al. in view of Schmidt et al. [US 5,901,049].

Regarding claim 3, Seeley et al. disclose the instant claimed invention except for a bias mechanism coupled to the housing to bias a memory card toward the contact areas.

Schmidt et al. disclose a housing (19) having a bias mechanism (14) coupled to the housing to bias a memory card toward a contact areas (figure 5, column 3, lines 14-35).

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use the bias mechanism of Schmidt et al. in the housing of Seeley et al., for the purpose of biasing the memory card to the contact areas.

9. Claims 4-5 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seeley et al. in view of Saito et al. [US 6,402,529].

Regarding claims 4 and 19, Seeley et al. disclose the instant claimed invention except for a bias member coupled to the housing within a central region slot to bias the memory toward a first side of the central of the slot.

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Saito et al. disclose a card connector having a card slot (figure 5) including biasing means (55, 56) to bias a card (31) toward a side of the slot.

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use the horizontal biasing means of Saito et al. within the central slot of Seeley et al., for the purpose of accurately positioning the card within the central slot.

Regarding claim 5, Seeley et al. disclose the instant claimed invention except for the biasing mechanism biasing the memory card to move the memory card a distance at least approximately 3.5 mm from a side of the central region of the slot.

The particular biasing distance provided by the biasing means of Seeley et al., as modified, would have been an obvious design consideration based on the particular type of card used.

10. Claims 6, 14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seeley et al. in view of Itou et al. [US 6,010,066].

Regarding claims 6 and 20, Seeley et al. disclose the instant claimed invention except for an insertion stop within the central region of the slot to limit an insertion depth of a memory card of a predetermined width.

Itou et al. disclose a card connector (10) having a card slot (12) for receiving a memory card including a stop member (125) inserted therewithin (figure 4, column 6, lines 51-65).

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It would have been obvious to a person having ordinary skill in the art at the time invention was made to use the stop member design of Itou et al. in Seeley et al., for the purpose of correctly positioning the memory card within the slot.

Regarding claim 14, Seeley et al. disclose the instant claimed invention except for a plurality of contact areas corresponding to a plurality of types of memory cards and the particular type of memory card.

Itou et al. disclose a plurality of contact areas (16, 17 and 18) corresponding to a plurality of different types of memory cards (figure 3).

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use the contact design of Itou et al. in Seeley et al., for the purpose of providing a plurality of contact areas to receive different types of memory cards.

The particular type of memory card would have an obvious design consideration based on the specific card intended to be used with the apparatus.

11. Claims 7-9, 11, 13 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seeley et al.

Regarding claims 7-9 and 16-18, Seeley et al. disclose the instant claimed invention except for the particular type and dimensions of the memory card.

The particular type and dimensions of the memory card would have an obvious design consideration based on the specific cards intended to be used with the apparatus.

Regarding claims 11 and 13, Seeley et al. disclose the instant claimed invention except for the particular type of interface used with a card reader.

The particular type of interface used with a card reader would have an obvious design consideration based on the type of computer system for which the card reader is intended to be used.

Conclusion

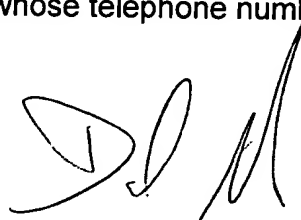
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Klatt et al. [US 6,097,605] and Neifer [US 6,250,965B1].

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S Bui whose telephone number is (703) 305-8024. The examiner can normally be reached on Monday-Friday 8:30AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David S. Martin can be reached on (703) 308-3121. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0956.

HB
12/18/02



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